

This and following section referred to in upholding act 1910, ch. 693, conferring jurisdiction upon justices of the peace over violations of regulations relative to moving picture machines, although no provision was made therein for a jury trial. *State v. Loden*, 117 Md. 385.

Under this section, the court has the power to commit an offender to jail who has not the money to pay his fine, although the offense is punishable by fine only. *Dean v. State*, 98 Md. 84.

Under act, 1880, ch. 211, proceedings in all instances for recovery of fines must be by indictment. This section construed in connection with local act, 1882, ch. 451, relative to sale of fertilizers in Harford county. *Snowden v. State*, 69 Md. 207.

For an indictment under this section, see *State v. Mott*, 61 Md. 305.

Cited but not construed in *Ex Parte Watkins*, 7 Pet. 568.

An. Code, sec. 2. 1904, sec. 2. 1888, sec. 2. 1777, ch. 6. 1842, ch. 22.

2. All fines, penalties and forfeitures, when recovered, shall be paid to the county or city where the same may be imposed unless directed to be paid otherwise by the law imposing them, but if there be an informer he shall have half unless otherwise provided. This section not to apply to fines or forfeitures for offenses at common law.

Since, under this section, the state has no interest in fines, etc., an action by state to recover informer's fees cannot be maintained. *Sanner v. State*, 83 Md. 648. *Cf. State v. Green*, 120 Md. 689.

See notes to art. 15, sec. 1, Md. Constitution.

An. Code, sec. 3. 1904, sec. 3. 1888, sec. 3. 1874, ch. 59. 1898, ch. 87.

3. Any person who shall or may hereafter be committed to jail on any charge, including contempt of court, by the judgment of any court of justice or by any justice of the peace of this State for non-payment of any fine and costs not exceeding the sum of fifty dollars, who shall have remained in custody as aforesaid for the space of thirty days, or any person who shall or may hereafter be committed to jail aforesaid for non-payment of any fine and costs above fifty and not exceeding one hundred and fifty dollars who shall have remained in custody aforesaid for the space of sixty days, or any person who shall or may hereafter be committed to jail aforesaid for the non-payment of any fine and costs above one hundred and fifty and not exceeding five hundred dollars who shall have remained in custody aforesaid for the space of ninety days, or any person who shall or may hereafter be committed to jail aforesaid for the non-payment of any fine and costs above five hundred dollars who shall have remained in custody aforesaid for the space of six months shall be discharged from further imprisonment on account of said fine and costs.

A judgment sentencing an offender to jail until the fine and costs are paid, will be construed in connection with this section. *Dean v. State*, 98 Md. 84.

See notes to sec. 1.

An. Code, sec. 4. 1904, sec. 4. 1898, ch. 407. 1900, ch. 23, sec. 4. 1904, chs. 178, 541. 1908, ch. 140. 1910, ch. 760 (p. 135). 1924, ch. 239.

4. One-half of the fines imposed and recognizance forfeited to the Circuit Court for the several counties of the State, shall be paid to the clerks of the respective courts, to be expended under the direction of the judge or judges of said courts for the augmentation of the libraries of